

ESTTA Tracking number: **ESTTA768131**

Filing date: **09/01/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92060328
Party	Defendant Souki Manufacturing Inc.
Correspondence Address	SOUKI MANUFACTURING INC 326-6 SAKAMOTO-CHO, HODOGAYA-KU, YOKOHAMA-SHI KANAGAWA, 240-0043 JAPAN mina-csj@nifty.com
Submission	Other Motions/Papers
Filer's Name	Nobuhiko Minaki
Filer's e-mail	mina-csj@nifty.com
Signature	/N.Minaki/
Date	09/01/2016
Attachments	CCF20160901.pdf(3847319 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Plaintiff Trademark: LOVE IS FOREVER  
Serial Number: 86285762  
Filing Date: May 19, 2014  
Refusal Issue/Mailing Date: August 27, 2014

Defendant Trademark: ***Love is Forever*** ®  
Registration No.: 3811074  
Filing Date: May 13, 2009  
Registration Date: June 29, 2010

Plaintiff	L.A. Gem and Jewelry Design, Inc.
Assigned Attorney	Mr. Milord A. Keshishian
	Cancellation No.: 92060328
Defendant	Souki Manufacturing Inc.
No Assigned Attorney	Nobuhiko Minaki (Family Name) (Mr.)
	Representative Director
	Trademark Creator, Owner, User

September 01, 2016 JST  
Ref No: Souki 160902

Madam Mary Catherine Faint  
Interlocutory Attorney  
Trademark Trial and Appeal Board  
United States Patent and Trademark Office

Dear Madam,

I would like to present deeply respectfully Motion to request Respectful Judgment to dismiss Motion to Compel Discovery filed 08/25/2016 by Plaintiff.

I have confirmed the highly respectful words of Madam Mary Catherine Faint, Interlocutory Attorney on web mail submitted August 31, 2016, which is EST, I think.

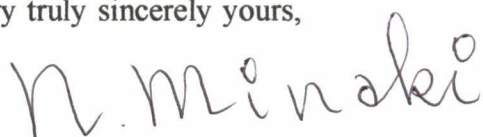
Confirming and being supported by the highly respectful words, "The parties should not file any paper which is not germane to the motions." Because I think my this Motion is germane to the Motion to Compel Discovery by Plaintiff, if it could be respectfully thankfully allowed to present my Motion to your consideration, I am highly respectfully thankful.

If you could kindly respectfully handle my Motion accordingly, I am highly respectfully thankful.

Documents attached:

- |  |         |
|--|---------|
| 1) Motion to request Respectful Judgment to dismiss Motion to Compel Discovery filed 08/25/2016 by Plaintiff | 7 pages |
| 2) Documents show Service done to Assigned Attorney for Plaintiff:   |         |
| (1) Certificate of Service   | 1 page  |
| (2) Receipt of Japan Post  | 1 page  |

Very truly sincerely yours,



Defendant

Souki Manufacturing Inc.

Nobuhiko Minaki (Mr.)

Representative Director

Trademark Creator, Owner, User

326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi

Kanagawa, 240-0043, Japan

TEL 81-45-333-4525    81-45-332-7890 direct

FAX 81-45-515-0047    E-MAIL mina-csj@nifty.com

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Plaintiff Trademark: LOVE IS FOREVER  
Serial Number: 86285762  
Filing Date: May 19, 2014  
Refusal Issue/Mailing Date: August 27, 2014

Defendant Trademark: **Love is Forever** ®  
Registration No.: 3811074  
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Registration Date: June 29, 2010

Plaintiff	L.A. Gem and Jewelry Design, Inc.
Assigned Attorney	Mr. Milord A. Keshishian
	Cancellation No.: 92060328
Defendant	Souki Manufacturing Inc.
No Assigned Attorney	Nobuhiko Minaki (Family Name) (Mr.) Representative Director Trademark Creator, Owner, User

September 01, 2016 JST  
Ref No: Souki 160901

Trademark Trial and Appeal Board  
United States Patent and Trademark Office

Dear Mesdames/Sirs,

Motion of Defendant to request Respectful Judgment to dismiss Motion to Compel  
Discovery filed 08/25/2016 by Plaintiff

I would like to respectfully motion to request respectful Judgment to my request to dismiss the Motion to Compel Discovery filed/submitted on 08/25/2016 by Plaintiff.

If in my Motion inappropriateness existing, or if it is necessary to respond respectively as

one by one to the requests of Plaintiff, and if necessary, if chance and time to amend etc to be given, I am highly respectfully thankful.

The reasons to file my Motion are as follows:

(1) Because I have received respectful advice of a highly respectful gentleman of 571-272-8500 twice on 08/30/2016 JST the tracking number is 1-421086324 and 08/31/2016 JST, the tracking number is 1-421272011, I think, if my record is precise. He advised me OK to file Motion within 15 days from Plaintiff's Motion to Compel Discovery, if my understanding is precise, but he said regarding the method that how to prepare the document content etc are not advised.

(2) Because I think my this Motion is germane to the Motion to Compel Discovery by Plaintiff.

(3) Because I respect the Schedule set by Trademark Trial and Appeal Board on 12/29/2015. According to the Schedule I have been preparing my business and activities of privacy etc, but this time Motion of Plaintiff is heavily obstructing and damaging to activities of my Business and Privacy etc. (If it is allowed to describe TTAB hereinafter for Trademark Trial and Appeal Board, it is highly thankful.)

(4) Because I have already responded/mailed my responses to Discovery Requests of Plaintiff, to the assigned attorney Mr. Milord A. Keshishian, on 04/07/2016 as follows and as attached Certificate of Service and Receipt of Japan Post. It is not welcome to do same kind of response twice.

RESPONSES OF DEFENDANT FOR REQUESTS FOR ADMISSIONS 113 pages,  
RESPONSES OF DEFENDANT FOR REQUESTS FOR PRODUCTION 39 pages,  
RESPONSES OF DEFENDANT FOR INTERROGATORIES 42 pages

(5) And preparing in China and doing final finish up process in Japan, I have been started to sell my product, Pendant Top with Love is Forever ® trademark on Internet shop from a bit before June 16, 2016 JST. The URL is <http://mina-smi.a.la9.jp/> And I had scheduled to ask factories in China to produce other products. But because of this time obstruction of business by plaintiff, I asked a main factory for me in China to show understanding to wait.

(6) The merits of this case is that I have abandoned or not abandoned my trademark, Love is forever ®.

Since filing of 92060328 on 11/05/2014 including filing of 92058656 on 02/07/2014 in spite



of continuing attacks and obstructions by Plaintiff of 92060328, the assigned attorney Mr. Milord A. Keshishian, Defendant has been preparing business including visiting factories to prepare products concerned in China with receiving highly respectful advice of highly respectful members of TTAB etc as follows:

Madam Mary Catherine Faint, Mr. Andrew P. Baxley,  
Mr. Eric D. Mcwilliams, Mr. Chaka A. Balamani, Madam Abdelrazig O. Hind,  
Mr. Bowling A. Dwayne, Madam Victoria Von Vistauxx, Madam Monique O. Hill-Tyson  
including respectful Mesdames and Sirs of Contact Number of 571-272-8500 and  
Madam Kim Teresa Monighoff of United States Patent and Trademark Office.

I have finally respectfully thankfully started my Internet shop to sell Pendant Top for trademark of Love is Forever ® a bit before June 16, 2016 JST as I reported in the above.

About the Internet shop I have reported by Response to Other Motions/Papers of Plaintiff filed 05/28/2016 and it could be confirmed on D OPP/RESP TO MOTION of 06/21/2016 too.

So because of starting the Internet shop to sell the product for Love is Forever ®, this case seems to be finished substantially/hypothetically, I feel.

That is, at the point/day 06/16/2016 JST I mailed the mail of Response to Other Motions/Papers of Plaintiff to the post office in Yokohama, Japan, this case has been finished substantially/hypothetically, I have been felt.

And it is my situation now that in accordance with the Schedule set by TTAB on 12/29/2015, I have been waiting for high judgment to be issued by TTAB.

So I think hypothetically it is unnecessary and irrelevant that Motion to Compel Discovery of Plaintiff.

(7) I have been forwarding my Business by myself alone until now as entrepreneur, and as pro se I have to respond to actions etc of Plaintiff, the assigned attorney Mr. Milord A. Keshishian, using my limited time in accordance with the Schedule.

So this time Motion including actions done since filing of cancellation petition 11/05/2014 by Plaintiff, the assigned attorney Mr. Milord A. Keshishian, who seems to have been highly interested in my registered trademark, LOVE IS FOREVER ®, are heavily obstructing and damaging to activities of my Business and Privacy etc.

Because my registered trademark, LOVE IS FOREVER ®, has good commercial value, I hypothetically think, that is, it will be sold by fascinating price, if we want sell. I think my

trademark has good intangible value, that is why Plaintiff, the assigned attorney Mr. Milord A. Keshishian seems to have been continuously happy to try to obtain it, I hypothetically think.

(8) And I and people of factories etc in China and Japan have been proceeding the production etc in accordance with/under the highly respectful Schedule set by TTAB. So this time Motion filed by Plaintiff, the assigned attorney Mr. Milord A. Keshishian, is heavily obstructing.

(9) But I have been feeling that Mr. Milord A. Keshishian might be starting to abandon or withdraw this case and running away from this case at bottom of heart. The evidence has been existing in the words of this time Motion of Plaintiff as follows:

**PETITIONER'S MOTION TO COMPEL  
DISCOVERY RESPONSES AND TEST  
THE SUFFICIENCY OF RESPONSES TO  
REQUESTS FOR ADMISSION;  
REQUEST TO SUSPEND THE TRIAL.**

Because there is no necessity **TO COMPEL DISCOVERY...TO SUSPEND THE TRIAL**, I think.

If Plaintiff has been really confident regarding this case, it is not needed to SUSPEND THE TRIAL. But now noticing about the selling product for trademark of Love is Forever® on Internet shop by Defendant, Mr. Milord A. Keshishian has lost confidence after becoming apparent under the sunshine that grounds asserted by Mr. Milord A. Keshishian for 92060328 has been opposite to fact to everybody including to L.A. Gem and Jewelry Design, Inc., Client of Mr. Milord A. Keshishian, I think hypothetically. If so, he is now in unwelcome situation but welcome situation to flee, I think.

(10) I feel hypothetically this troublesome situation and nuisance to Defendant done by Plaintiff, the assigned attorney Mr. Milord A. Keshishian, including Obstruction of Business etc might become criminal case. If so, we should not do helpful actions for Plaintiff by supporting and cooperating for this time Motion filed by Plaintiff on August 25, 2016, I feel hypothetically.

(11) And because actions of the assigned attorney Mr. Milord A. Keshishian, including this time Motion etc have possibility to become terrifying and horrifying for people from overseas who want to start business in USA and for people who have been doing business currently in USA, too. If so, it will have possibility to diminish prosperity, economical development to

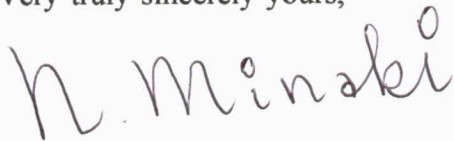
become rich, and to diminish tranquility of USA, and if diminishing, other countries etc will be affected to diminish prosperity, economical development to become rich, and to diminish tranquility, too, I feel hypothetically.

If so, this case is to be a politically important matter too, I feel.

(12) And because for instance (A) date signed for **INTERROGATORIES** by Mr. Milord A. Keshishian is described as March 11, 2016, and (B) date of its Certificate of Service is described as March 11, 2016, and (C) date signed for **REQUESTS FOR PRODUCTION** by Mr. Milord A. Keshishian is described as March 11, 2016, and (D) date of its Certificate of Service is described as March 11, 2016, and (E) date signed for **REQUEST FOR ADMISSION** by Mr. Milord A. Keshishian is described as March 11, 2016, and (F) date of its Certificate of Service is described as March 11, 2016.

So it is difficult for me to put my trust on the Motions and assertions of Plaintiff.

Very truly sincerely yours,



Defendant

Souki Manufacturing Inc.

Nobuhiko Minaki (Mr.)

Representative Director

Trademark Creator, Owner, User

326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi

Kanagawa, 240-0043, Japan

TEL 81-45-333-4525 81-45-332-7890 direct

FAX 81-45-515-0047 E-MAIL mina-csj@nifty.com

Attached: Certificate of Service dated 04/07/2016 1 page

Receipt of Japan Post dated 04/07/2016 1 page



Certificate of Service

I hereby certify that on 04/07/2016 JST I have served a true and complete copy of the documents, Ref No.: Souki 160401, Souki 160402, Souki 160403 dated April 07, 2016 JST, attached/enclosed to Souki 160404 via First Class Mail, EMS (service of Japan Post), tracking number EG395218940JP, postage prepaid to Mr. Milord A. Keshishian, Assigned Attorney, MILORD & ASSOCIATES, PC 10517 West Boulevard, LOS ANGELES, CA 90064, USA.

Pico

Amended to add

7/6.08.31

N. Minaki

Date: April 07, 2016 JST

Signature:

N. Minaki

Defendant

Souki Manufacturing Inc.

Nobuhiko Minaki

Representative Director

Trademark Creator, Owner, User

326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi

Kanagawa, 240-0043, Japan


Tel 81-45-333-4525 81-45-332-7890 direct

Fax 81-45-515-0047 mina-csj@nifry.com



お問い合わせ番号  
EMS item number

EG395218940JP


8 FROM(ご依頼主)		4 受付年月日 Date mailed 20160407 年 Year) 月 Month) 日 Date)		5 受付時刻 時(Hour) 分(Minute) Time mailed		郵便料金 諸料金	
Name Nobuhiko Minaki Address Souki Manufacturing Inc. 326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi Kanagawa				総重量 Total gross weight		合計金額 Postage paid	
				円 Yen			
9 郵便番号 Postal code 240-0043 JAPAN				10 TO(お届け先) Name Mr. Milord A. Keshishian Address Milord & Associates, PC 10517 West Pico Boulevard 都市名 City Los Angeles, CA 郵便番号 Postal code 90064			
7 電話番号 Telephone No. 81-45-332-7890		FAX番号 Fax No. 81-45-515-0047		11 電話番号 Telephone number -7. IV. 16-12-18		FAX番号 Fax number	
21 内容品の詳細な記載 Detailed description of contents		商業物品のみ記入 For commercial items only HSコード 内容品の原産国 HS tariff number Country of origin		25 内容品の個数 Number of items contained Page/envelope 2 pages 113 " 39 " 42 "		26 正味重量 Net weight 865 in total	
Letter Souki 160404 Certificate of Service Document Souki 160401 " Souki 160402 " Souki 160403				24 内容品の価格 Value ¥233.00		22 内容品の種類 Insert a cross (X) if the item contains: <input type="checkbox"/> 贈物 a gift <input type="checkbox"/> 商品 merchandise <input type="checkbox"/> 身のまわり品 personal effects <input type="checkbox"/> 商品見本 a sample <input type="checkbox"/> その他 others <input checked="" type="checkbox"/> 書類 documents	
15 上記内容品は危険物に該当しないことを確認済です。 I checked that contents above are not dangerous goods.		16 この郵便物は Number of this pieces 1 番目 1 個中 Total number of pieces		日本円換算合計(円) Total value ¥233.00 Yen			
39 ご署名 Signature of the sender N. Minaki		 * E G 3 9 5 2 1 8 9 4 0 J P *					

## Certificate of Service

I hereby certify that on 09/01/2016 JST I have served a true and complete copy of the document, Ref No.: Souki 160901 via First Class Mail, EMS (service of Japan Post), tracking number EG395219769JP, postage prepaid to Mr. Milord A. Keshishian, Assigned Attorney, MILORD & ASSOCIATES, P.C. 10517 West Pico Boulevard, LOS ANGELES, CA 90064, USA.

Date: September 01, 2016 JST

Signature:

A handwritten signature in black ink, appearing to read "N. Minaki". The signature is written in a cursive, flowing style.

Defendant

Souki Manufacturing Inc.

Nobuhiko Minaki

Representative Director

Trademark Creator, Owner, User

326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi

Kanagawa, 240-0043, Japan

Tel 81-45-333-4525 81-45-332-7890 direct

Fax 81-45-515-0047 mina-csj@nifry.com



お問い合わせ番号  
EMS item number

EG395219769JP

8 FROM(ご依頼主)		4 受付年月日 Date mailed 年 Year 月 Month 日 Date 2016 9		5 受付時刻 Time mailed 時(Hour) 分(Minute)		郵便料金 Postage paid		諸料金	
Name Nobuhiko Minaki		10 TO(お届け先)		Name Mr. Milord A. Keshishian		合計金額 Total gross weight g		円 Yen	
Address Souki Manufacturing Inc. 326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi Kanagawa		Address Milord & Associates, PC 10517 West Pico Boulevard		都市名 City Los Angeles, CA		郵便番号 Postal code 90064			
9 郵便番号 Postal code 240-0043 JAPAN		7 電話番号 Telephone No. 81-45-332-7890		FAX番号 Fax No. 81-45-515-0047		11 電話番号 Telephone number 28.9.1		FAX番号 Fax number 28.9.1	
21 内容品の詳細な記載 Detailed description of contents Paper documents Souki 160901 Souki 160903 Certificate of Service Receipt of Japan Post Envelope		商業物品のみ記入 For commercial items only HSコード HS tariff number		内容品の個数 Number of items contained 5 pages 1 page 1 page 1 page 1 piece		正味重量 Net weight 38		内容品の価格 Value ¥21.00	
39 ご署名 Signature of the sender N. Minaki		16 この郵便物は Number of this pieces 1 個中 Total number of pieces		12 内容品の詳細な記載 Detailed description of contents Paper documents Souki 160901 Souki 160903 Certificate of Service Receipt of Japan Post Envelope		13 正味重量 Net weight 38		14 内容品の価格 Value ¥21.00	
15 上記内容品は危険物に該当しないことを確認済です。 I checked that contents above are not dangerous goods.		17 内容品の詳細な記載 Detailed description of contents Paper documents Souki 160901 Souki 160903 Certificate of Service Receipt of Japan Post Envelope		18 正味重量 Net weight 38		19 内容品の価格 Value ¥21.00		20 内容品の詳細な記載 Detailed description of contents Paper documents Souki 160901 Souki 160903 Certificate of Service Receipt of Japan Post Envelope	



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